

September 24, 2018,

Re: Claim Number: 518099 FRE 408 Settlement Communication

Dear Micharl Levy,

The Law Firm of Higbee & Associates represents Christopher Sadowski. Copyright images owned by Christopher Sadowski were discovered on 4Internet, LLC website(s). Please see the attached exhibits that show the use of the copyrighted works. Our client has no record of you having a license to use their copyrighted work and has authorized us to contact you on their behalf. If you have a license, please contact us immediately with a copy of that license at claims@higbeeassociates.com, please include the claim number (518099).

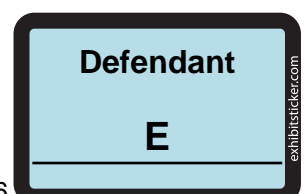
Chris Sadowski is an accomplished photographer whose photos have been used by the world's biggest news outlets. His photos often license for \$7,500 to \$25,000 a year. The unauthorized use of his work hurts his livelihood and results in him having to spend tens of thousands of dollars and countless hours monitoring and stopping such use. To add in complaint: Plaintiff Christopher Sadowski is a professional photographer by trade. Sadowski has licensed or sold his photographs to dozens of major media outlets such as The New York Post, The Daily Mail, Boston Globe, Boston Herald, Los Angeles Times, Toronto Sun, Newsweek Magazine, People Magazine, the Associated Press, USA Today, The Wall Street Journal, Fox News, NBC News, MSNBC, Inside Edition, and TMZ.

If 4Internet, LLC does not have a license, we believe the use of the work is a violation of The Copyright Act, Title 17 of the United States Code. As the violation occurred on a company website, the company is liable for the unauthorized use, including cases in which a website designer, employee or a third party is responsible for the inclusion of this image on your website. Even if your use of the image without a license was unintentional, for example; if the image was found on the internet and believed to be available for free use, it is still a violation of copyright law, and ceasing use of the images now may reduce the liability, but not release you or your organization from liability.

The unauthorized use of my client's work threatens my client's livelihood. While Christopher Sadowski, does have the right to bring a lawsuit for damages, my client is willing to settle this in an amicable way, out of court and without a lawsuit. I was asked to contact you and see if we can negotiate a settlement and save everyone the stress and costs of going to court. Please know that I only have a limited amount of time to settle this claim out of court.

If forced to go to court, my client will ask for the maximum relief possible, which may include statutory damages under 17 U.S.C. §504 for up to \$150,000 for intentional infringement or \$30,000 for unintentional infringement. My client would also ask the court to have you pay court costs and attorneys fees. Copyright lawsuits can result in judgments, wage garnishments and liens on property. In some instances, the business owner can be held individually liable.

This type of claim is often covered by business insurance. You may wish to forward this to your insurance carrier. You may also wish to hire an attorney.



If we do not hear from you within 30 days from the date of this letter, we will have no choice but to take this to mean that you do not have a license and do not want to settle this matter out of court.

To resolve this matter efficiently and amicably out of court, please follow these steps:

(1) Within five business days after receipt of this letter, remove all occurrences of the image from your website(s), cease using it in any way, and confirm in writing that you have done so.

AND

(2) Within seven business days after receipt of this letter, return to our firm the attached Release License, along with your payment in the form of a valid cashier's check or money order for **\$13500** payable to "**Higbee & Associates Client Trust Account**". This can be returned to us via US Mail. You can also pay over the phone or online at <http://copyright.higbeeassociates.com/resolution>. Your login is 518099. Your password is aidxtoo9. If you choose to make your payment online, you can return the Release License via email to claims@higbeeassociates.com. Please include the case number (518099) in the subject line.

Please feel free to call or email us to discuss this matter, 800-716-1245 or send email to claims@higbeeassociates.com

Sincerely,

Mathew K. Higbee
Attorney at Law

EXHIBIT A



Infringing webpages:

- <https://www.4baseball.com/dailymail.co.uk/pictured-father-who-shot-his-son-his-ex-wife-and-current-wife-in-triple-murder-suicide/>
- <https://www.4baseball.com/cbsnews.com/triple-murder-suspect-kills-himself-after-standoff-police-say/>
- <https://www.4entertainment.com/foxnews.com/alabama-man-kills-wife-child-in-murder-suicide-2-other-children-injured-police-say/>
- <https://www.4entertainment.com/cbsnews.com/triple-murder-suspect-kills-himself-after-standoff-police-say/>
- <https://www.4catholic.com/nypost.com/man-kills-himself-daughter-in-murder-suicide-after-kidnapping-cops/>
- <https://www.4christian.com/ktvq.com/elderly-wyoming-man-kills-wife-attempts-suicide/>
- <https://www.4christian.com/nypost.com/son-kills-newlywed-parents-ex-wife-in-murder-suicide/>
- <https://www.4christian.com/nypost.com/man-kills-himself-daughter-in-murder-suicide-after-kidnapping-cops/>
- <https://www.4christian.com/upi.com/alabama-man-kills-wife-daughter-in-murder-suicide-police-say/>
- <https://www.4jewish.com/nypost.com/man-kills-wife-and-her-parents-in-triple-murder-suicide-cops/>
- <http://www.4rightwing.com/nypost.com/man-kills-son-his-mother-and-himself-in-murder-suicide-cops/>
- <http://www.4rightwing.com/nypost.com/man-kills-wife-and-her-parents-in-triple-murder-suicide-cops/>
- <http://www.4rightwing.com/nypost.com/son-kills-newlywed-parents-ex-wife-in-murder-suicide/>
- <http://www.4rightwing.com/nypost.com/man-kills-himself-daughter-in-murder-suicide-after-kidnapping-cops/>
- <http://www.4rightwing.com/upi.com/alabama-man-kills-wife-daughter-in-murder-suicide-police-say/>
- <http://www.4rightwing.com/foxnews.com/alabama-man-kills-wife-child-in-murder-suicide-2-other-children-injured-police-say/>
- <http://www.4rightwing.com/msn.com/alabama-man-kills-wife-child-in-murder-suicide-2-other-children-injured-police-say/>
- <https://www.4conservative.com/nypost.com/son-kills-newlywed-parents-ex-wife-in-murder-suicide/>

Infringing file locations:

- <https://www.4baseball.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <https://www.4baseball.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>

- <https://www.4entertainment.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <https://www.4entertainment.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <https://www.4catholic.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <https://www.4christian.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <https://www.4christian.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
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- <https://www.4christian.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <https://www.4christian.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <https://www.4jewish.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <http://www.4rightwing.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <http://www.4rightwing.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <http://www.4rightwing.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <http://www.4rightwing.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <http://www.4rightwing.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <http://www.4rightwing.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <http://www.4rightwing.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>
- <https://www.4conservative.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/4152144-thumb.jpg>

Infringing images and screenshots are shown below. You can receive copies of these images via email by sending a request to infringements@higbeeassociates.com. The email must include the case number (518099) in the subject line.



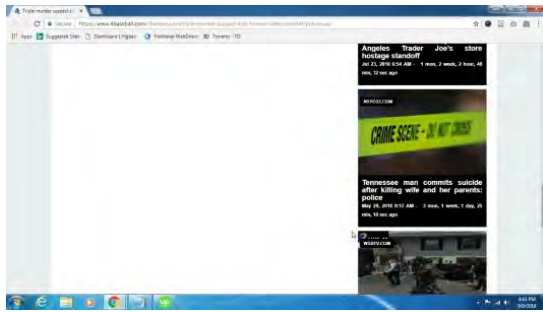


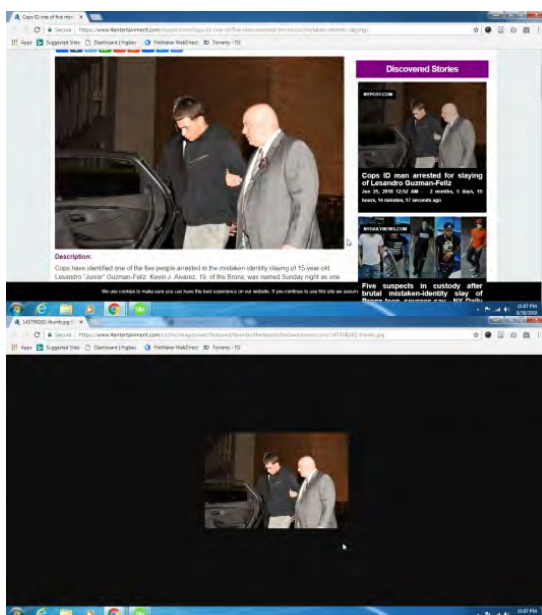
EXHIBIT B**Infringing webpages:**

- <https://www.4entertainment.com/nypost.com/cops-id-one-of-five-men-arrested-for-brutal-mistaken-identity-slaying/>
- <https://www.4search.com/nydailynews.com/five-suspects-in-custody-after-brutal-mistaken-identity-slay-of-bronx-teen-sources-say/>
- <https://www.4christian.com/msn.com/brooklyn-rapper-releases-track-dedicated-to-bronx-15-year-old-killed-in-brutal-mistaken-identity-att/>

Infringing file locations:

- <https://www.4entertainment.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/145708282-thumb.jpg>
- <https://www.4search.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/145708282-thumb.jpg>
- <https://www.4christian.com/cache/images/web/featured/thumbs/thenypost.files.wordpress.com/145708282-thumb.jpg>

Infringing images and screenshots are shown below. You can receive copies of these images via email by sending a request to infringements@higbeeassociates.com. The email must include the case number (518099) in the subject line.





Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Acting United States Register of Copyrights and Director

Registration Number

VA 2-083-404

Effective Date of Registration:

December 31, 2017

Title

Title of Work: Group Registration Photos, 2017-Q4 Photo Collection, published 10/1/2017 to 12/30/2017; 256 photos

Content Title: 093017hammerstein4CS, 10/1/2017

082317debate9CS, 10/3/2017

041917ikea11CS, 10/3/2017

091717plane1CS, 10/3/2017

092817nypd1CS, 10/3/2017

100517police4CS, 10/5/2017

111315uber3CS, 10/5/2017

100417nypd1CS, 10/5/2017

072617usps9CS, 10/5/2017

052116amazon21CS, 10/5/2017

100417statue4CS, 10/6/2017

081317bwb3CS, 10/6/2017

091617crimescene1CS, 10/7/2017

100717fire2CS, 10/8/2017; 100717fire10CS, 10/8/2017; 100717fire16CS, 10/8/2017; 100717fire17CS, 10/8/2017

100517recycling5CS, 10/10/2017

100817sculpture2CS, 10/10/2017

100817sculpture8CS, 10/10/2017

062415house48CS, 10/11/2017

080317spectrum5CS, 10/11/2017

101217bus2CS, 10/12/2017

100316treasury1CS, 10/13/2017

101417stabbing3CS, 10/14/2017; 101417stabbing4CS, 10/14/2017;
101417stabbing5CS, 10/14/2017

092017taxi5CS, 10/16/2017

090716correction2CS, 10/16/2017

092817nypd15CS, 10/16/2017

040817police8CS, 10/16/2017

100517halloween1CS, 10/16/2017

092617sign1CS, 10/17/2017

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101817airplane1CS, 10/19/2017

101817amazon7CS, 10/19/2017

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101817traffic3CS, 10/23/2017

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103016verizon1CS, 10/24/2017

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033117bofi1CS, 10/26/2017

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102917clock1CS, 10/31/2017
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103117vehicle1CS, 11/2/2017
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122316tree2CS, 11/9/2017

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112917treelighting8CS, 12/4/2017; 112917treelighting14CS, 12/4/2017
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 122917fire28CS, 12/30/2017; 122917fire31CS, 12/30/2017
 010116nye11CS, 12/30/2017
 122116subway1CS, 12/30/2017

Completion/Publication

Year of Completion: 2017
Date of 1st Publication: October 01, 2017
Nation of 1st Publication: United States

Author

- **Author:** Christopher Sadowski
Author Created: photograph
Work made for hire: No
Citizen of: United States
Year Born: 1982

Copyright Claimant

Copyright Claimant: Christopher Sadowski
96 9th Avenue, Hawthorne, NJ, 07506, United States

Rights and Permissions

Name: Christopher Sadowski
Email: cdsadowski@aol.com
Telephone: (973)650-5382
Address: 96 9th Avenue
Hawthorne, NJ 07506 United States

Certification

Name: Christopher Sadowski
Date: December 31, 2017



Public Catalog

Copyright Catalog (1978 to present)
Search Request: Left Anchored Name = Sadowski Christopher
Search Results: Displaying 30 of 46 entries

◀ previous next ▶

Labeled View

2018-Q2 Photo Collection.

Type of Work: Visual Material
Registration Number / Date: VA0002108670 / 2018-07-02
Application Title: 2018-Q2 Photo Collection
Title: 2018-Q2 Photo Collection [Group registration of published photographs. 126 photographs. 2018-04-01 to 2018-06-30]
Description: 126 photographs : Electronic file (eService)
Copyright Claimant: Christopher Sadowski, 1982- . Address: 96 9th Avenue, Hawthorne, NJ, 07506, United States.
Date of Creation: 2018
Publication Date Range: 2018-04-01 to 2018-06-30
Nation of First Publication: United States
Authorship on Application: Christopher Sadowski, 1982- . Citizenship: United States. Authorship: photographs.
Rights and Permissions: Christopher Sadowski, 96 9th Avenue, NJ, 07506, United States. (23) 650-5382, cdsadowski@aol.com
Copyright Note: Regarding title information: Deposit contains complete list of titles that correspond to the individual photographs included in this group. Regarding group registration: A group of published photographs may be registered on one application with one filing fee only under limited circumstances. ALL of the following are required: 1. All photographs (a) were created by the same author AND (b) are owned by the same copyright claimant AND (c) were published in the same calendar year AND 2. The group contains 750 photographs or less AND 3. A sequentially numbered list of photographs containing the title, file name and month of publication for each photograph included in the group must be uploaded along with other required application materials. The list must be submitted in an approved document format such as XLS or PDF. The file name for the numbered list must contain the title of the group and the Case Number assigned to the registration.

Photographs: Published in April 2018 (1 photographs): 040118fireSCS published 4/1/2018
Published in April 2018 (1 photographs): 030118police11CS published 4/2/2018
Published in April 2018 (1 photographs): 030118scaramucci44CS published 4/2/2018
Published in April 2018 (1 photographs): 052116amazon11CS published 4/3/2018
Published in April 2018 (1 photographs): 021818metrocard2CS published 4/3/2018
Published in April 2018 (1 photographs): 030416hole1CS published 4/3/2018
Published in April 2018 (1 photographs): 100117panerabread2CS published 4/3/2018
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Names: Sadowski, Christopher, 1982-

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Higbee & Associates

A NATIONAL LAW FIRM

Mathew Higbee: CA # 241380, MI # P73980, MN # 0388759, NV # 11158, OR # 106514, UT # 11133, WA # 42755, TX # 24076924
Ray Ngo: UT # 11936, NY # 4780706
Melissa Clark: CA # 247998, AZ # 024644, UT # 11271, FL # 62465
Jenna Thorne: NJ # 582011, PA # 310524
Robert B. Duke Jr.: VA # 74070

LETTER OF REPRESENTATION POWER OF ATTORNEY

RE: Christopher Sadowski

To Whom It May Concern:

Please be advised that the Law Firm of Higbee & Associates has been retained by Christopher Sadowski regarding a copyright infringement matter. As such, we have been appointed as attorney in fact with full power and authority in determining the validity of the above matter and assist in any negotiation, settlement, and payment. We are further authorized to pursue any legal remedies available to our client as a result of this this matter. Any attorney, staff member or agent of Higbee & Associates is hereby authorized to discuss any effort to settle and resolve the above matter.

Effective immediately, all communication (mail, phone, electronic or otherwise) regarding the above matter must be forwarded to Higbee & Associates at:

Higbee & Associates
1504 Brookhollow Drive, Suite 112
Santa Ana, CA 92705
(714) 617-8385 Telephone

Sincerely,


Mathew Higbee Ray Ngo Melissa Clark Jenna Thorne Robert B. Duke Jr.

The undersigned have retained Higbee & Associates and grant full power and authority as described above.

Date: October 28, 2015

Client: Christopher Sadowski Signature: 

RAPID CONDITIONAL RELEASE LICENSE AGREEMENT

This RAPID CONDITIONAL RELEASE LICENSE AGREEMENT ("Agreement") is entered into on September 24, 2018 ("Effective Date") by and between Christopher Sadowski ("LICENSOR") and 4Internet, LLC ("LICENSEE") (the "Parties" or individually the "Party").

The Parties agree as follows:

1. The Parties acknowledge and agree that this Agreement is made in resolution to the LICENSEE's alleged unlicensed use of image(s) referenced in the Exhibit(s) below ("Images").
2. LICENSOR hereby represents and warrants that it has the exclusive rights in the settlement and resolution of the claims related to the alleged unlicensed use of the copyrighted Images, including the rights to grant licenses for past and future use, and rights to grant releases from future claims.

GRANT OF RETROACTIVE LICENSE TO COVER PAST USE

3. In consideration of the license and other consideration granted herein, LICENSEE will pay to LICENSOR the sum of \$13,500.00 in U.S. Dollars (the "Payment") within fourteen (14) days after the Effective Date.
 - a. Upon Payment in full, LICENSOR will grant LICENSEE a non-exclusive, non-sub licensable and non-assignable retroactive license, with the term commencing with the beginning of time and concluding upon the Effective Date.
 - b. The LICENSEE will be granted rights to use the Images only within the limited scope as shown in this Agreement.
 - c. The LICENSOR will retain all rights, interest and ownership in derivative works containing the Images, in whole or in part.
 - d. Payment shall be made payable to "Higbee & Associates Client Trust Account" and delivered to 1504 Brookhollow Dr., Suite 112, Santa Ana, CA 92705. Payment may also be made online at <http://copyright.higbeeassociates.com/resolution>

ADDITIONAL TERMS AND CONDITIONS

4. Except for the agreements, obligations, and covenants arising under this Agreement, the Parties will release the other party from any and all claims arising from the use of the Images.
5. The Parties acknowledge that all terms of this Agreement are supported by legally sufficient consideration so as to make this Agreement binding and valid.
6. All of the Parties will pay their own costs and expenses incurred in negotiation and preparation and execution of this Agreement.
7. The terms of this Agreement are confidential; provided however, that each Party may disclose the terms of this Agreement, as necessary to enforce its terms, in response to valid legal process or as otherwise required by law, and/or to its financial advisors and/or legal advisors.
8. The Parties represent and warrant that they have read and understand the provisions of this Agreement and have full authority to execute and consummate the transactions contemplated by this Agreement.
9. This Agreement may not be modified or amended except by written agreement, signed by all Parties.
10. This Agreement, along with its terms and conditions will be binding upon and inure to the benefit of each of the Parties and to their heirs, executors, administrators, successors in interest and assigns.
11. The Parties acknowledge that if any provision or application of this Agreement is held invalid or unenforceable then any such provision will be deemed severed from this Agreement and

the remaining provisions and applications of this Agreement will not be affected, but will remain valid and enforceable.

12. This Agreement will be governed by and construed in accordance with the laws of the State of California, without regard to conflict of law principles, notwithstanding the fact that one or more counterparts hereof may be executed outside of such state, or one or more of the obligations of the Parties hereunder are to be performed outside of such state. Any suit, action or proceeding to determine, construe or enforce any provision of this Agreement, or the rights of any party hereunder, will be brought in the State of California, and the Parties agree that jurisdiction will lie therein.

13. If a suit, action, arbitration or other proceeding of any nature whatsoever is instituted in connection with any controversy arising out of this Agreement, or to interpret or enforce any rights under this Agreement, the prevailing party is entitled to recover reasonable costs and attorney's fees from the other party.

14. Payments that are received more than 5 calendar days late will be assessed a \$40 late fee. Additionally, an interest rate based on a 15% per annum will be charged on overdue balances after 30 days.

15. This Agreement constitutes and contains the entire agreement between the Parties with respect to the alleged unlicensed use referred to in this Agreement and there are no other agreements, understandings or representations with respect to this subject matter, which are not expressly set forth herein.

Michael Levy
On Behalf of
Licensee(s) 4Internet, LLC

Date



September 24, 2018

Mathew K. Higbee, Esq.
on Behalf of Licensors(s)
Christopher Sadowski

Date

CREDIT CARD PAYMENT AUTHORIZATION FORM

The Law Firm of Higbee & Associates offers interest-free payment plans through our automated billing system. Sign and complete this form to authorize the Law Firm of Higbee & Associates to make the agreed upon credit or debit card or ACH payments. Licensee agrees to pay the settlement amount of \$13,500.00 in 1 automatic payment.

By signing this form you give us permission to bill your credit/debit card or bank account for the amount indicated on the dates above plus any additional fees, penalties, or interest charges which have accrued in accordance with the Rapid Conditional Release License Agreement ("Settlement Agreement"). This is permission for all transactions related to the Settlement Agreement, and does not provide authorization for any additional unrelated charges.

Please complete the information below:

PAYMENT METHOD (Please Choose One & Provide Requested Information):

CREDIT CARD

Name as it Appears on Card: _____

Credit Card #: _____

Expiration Date: _____ CCV (Security Code): _____

Billing Address: _____

ACH / DIRECT DEPOSIT

Name on the Account: _____

Account Type: ☐ Savings ☐ Checking

Account #: _____

Routing #: _____

Bank Name: _____

I hereby authorize The Law Firm of Higbee and Associates to automatically bill my account on the dates indicated in the payment plan above.

PRINT NAME: _____

TITLE: _____

COMPANY: _____

Signature: _____ Date: _____

I authorize the above named business to charge the credit card indicated in this authorization form according to the terms outlined above. This payment authorization is for the goods/services described above, for the amount indicated above only, and is valid for the specified use only. I certify that I am an authorized user of this credit card and that I will not dispute the payment with my credit card company; so long as the transaction corresponds to the terms indicated in this form.